



DAVID CRAIG

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Senator David Craig Authors Civil Asset Forfeiture Reform Legislation

Madison, Wis. – Today, Senator David Craig (R-Town of Vernon) joined by Senator Nass (R – Whitewater), Senator Wirch (D – Kenosha), Representative Gary Tauchen (R-Bonduel), Representative Adam Jarchow (R – Balsom Lake), and Representative Frederick Kessler (D – Milwaukee) circulated for co-sponsorship legislation reforming civil asset forfeiture. Civil asset forfeiture is a process by which the government can permanently seize private property and use the proceeds from the sale of that property for various governmental purposes. In many instances, law enforcement will bring a suit against property suspected of being involved in or obtained via criminal activity - with no suspect ever charged or convicted.

In order to remedy this bad policy, this bill requires a criminal conviction in order for a forfeiture to occur, requires forfeitures to be proportional to the crime committed, sends all forfeiture proceeds to the State common school fund, raises the burden of proof in forfeiture cases, as well as other important reforms. Upon circulating the bill, Craig stated:

“Civil asset forfeiture reform is an important step to ensure that no person is, ‘deprived of life, liberty, or property, without due process of law’ as guaranteed by the 5th Amendment. Criminal justice policy should focus on punishing the convicted, not raising revenue. Our bill accomplishes that.”

This legislation shares many of the reforms sought at the federal level by Congressman Jim Sensenbrenner in the DUE PROCESS ACT OF 2016. A copy of Senator Craig’s legislation and the co-sponsorship memo is attached.

Senator Craig represents the 28th Senate District which is comprised of portions of Waukesha, Walworth, Racine and Milwaukee Counties.

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